

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

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**Meeting Date:** 5/9/2000

**Reference No.:** CB-12-2000

**Proposer:** Estep

**Draft No.:** 2

**Sponsors:** Estep

**Item Title:** An Act to establish a Telecommunications Transmission Facility Committee and provide for administration and coordination of telecommunications facility planning and construction

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**Drafter:** Ralph E. Grutzmacher  
Legislative Officer

**Resource** John D. Timms  
**Personnel:** Legislative Aide

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**LEGISLATIVE HISTORY:**

**Date Presented:** 2/29/2000      **Executive Action:** 5/9/2000      S

**Committee Referral:** 2/29/2000      PSFM      **Effective Date:** 6/26/2000

**Committee Action:** 3/16/00      FAV(A)

**Date Introduced:** 4/4/2000

**Public Hearing:** 4/25/2000      1:30 P.M.

**Council Action:** 4/25/2000      ENACTED

**Council Votes:** DB:A, JE:A, IG:A, TH:A, WM:A, RVR:A, AS:A, PS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

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**PUBLIC SAFETY & FISCAL MANAGEMENT COMMITTEE REPORT**      Date: 3/16/00

Committee Vote: Favorable as amended, 5-0, (In favor: Councilmembers Wilson, Estep, Maloney, Russell and Scott).

This bill will establish a Telecommunications Transmission Facility Committee, a Telecommunications Transmission Facility Coordinator and provide for administration and coordination of telecommunications facility planning and construction.

The legislation re-enacts the tower coordination provision which was enacted as part of CB-98-1998 that was invalidated by the U. S. District Court. There are some minor changes which incorporate the provisions of both CB-98-1998 and CB-101-1997.

The firm representing Crown Atlantic Company LLC and Bell Atlantic Mobile, Inc. submitted a letter supporting the creation of a Telecommunications Transmission Facility Coordinator and Committee. They also expressed their concerns with various sections of the legislation and provided recommendations.

The Office of Law submitted comments and proposed amendments.

The legislation contains the following amendments:

1. Page 2, line 1: add Minor Antenna to the definitions.
2. Page 2, line 5: after “information” add “but shall not mean or include a Minor Antenna”.
3. Page 2, line 11: add “Department of Environmental Resources”.
4. Page 3, line 20: add “where appropriate” after “techniques”.
5. Page 3, lines 22 and 26; Page 4, lines 1 and 2: replace “telecommunication” with “telecommunications”.
6. Page 4, after line 27: add sections (c) and (d) .
7. Page 5, line 3: add “not more than” after “of”.
8. Page 5, line 5, section (b): insert “a site review fee for co-location” and change the present (b) to (c).

There may be some positive fiscal impact on the County related to revenue generated from the \$500 site review fee. An amount cannot be determined at this time.

## **BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

The Telecommunications Act of 1996 provided comprehensive revisions to Federal communications policy to encourage competition within and between technologies and services. The proposed legislation provides a mechanism consistent with the 1996 Act to minimize the proliferation of telecommunications facilities in the County and to encourage and facilitate location on public lands and encourage co-location on existing towers and other structures.

The proposed legislation re-enacts provisions of CB-98-1998 relating to facility coordination that were invalidated by the U.S. District Court for reasons unrelated to the proposed legislation.

**CODE INDEX TOPICS:****Definitions**

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**Television** (See Cable Television)